
HOUSE BILL No. 1178

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-48-2-4.

Synopsis: Controlled substances. Adds salvia divinorum, salvinorin A, and any of the active ingredients of salvia divinorum to the list of hallucinogenic schedule I controlled substances.

Effective: July 1, 2008.

Crouch, Avery

January 10, 2008, read first time and referred to Committee on Judiciary.

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Introduced

Second Regular Session 115th General Assembly (2008)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2007 Regular Session of the General Assembly.

HOUSE BILL No. 1178

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 35-48-2-4 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 4. (a) The controlled
3 substances listed in this section are included in schedule I.

4 (b) Opiates. Any of the following opiates, including their isomers,
5 esters, ethers, salts, and salts of isomers, esters, and ethers, unless
6 specifically excepted by rule of the board or unless listed in another
7 schedule, whenever the existence of these isomers, esters, ethers, and
8 salts is possible within the specific chemical designation:

9 Acetylmethadol (9601)

10 Allylprodine (9602)

11 Alphacetylmethadol (9603)

12 Alphameprodine (9604)

13 Alphamethadol (9605)

14 Alphamethylfentanyl (9614)

15 Benzethidine (9606)

16 Betacetylmethadol (9607)

17 Betameprodine (9608)



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- 1 Betamethadol (9609)
- 2 Betaprodine (9611)
- 3 Clonitazene (9612)
- 4 Dextromoramide (9613)
- 5 Diampromide (9615)
- 6 Diethylthiambutene (9616)
- 7 Difenoxin (9168)
- 8 Dimenoxadol (9617)
- 9 Dimepheptanol (9618)
- 10 Dimethylthiambutene (9619)
- 11 Dioxaphetyl butyrate (9621)
- 12 Dipipanone (9622)
- 13 Ethylmethylthiambutene (9623)
- 14 Etonitazene (9624)
- 15 Etoxeridine (9625)
- 16 Furethidine (9626)
- 17 Hydroxypethidine (9627)
- 18 Ketobemidone (9628)
- 19 Levomoramide (9629)
- 20 Levophenacymorphan (9631)
- 21 3-Methylfentanyl [N-[3-methyl-1-(2-phenylethyl)-4-
- 22 piperidyl]-N-phenyl-propanimide](9813)
- 23 MPPP (1-methyl-4-phenyl-4-propionoxypiperidine) (9961)
- 24 Morpheridine (9632)
- 25 Noracymethadol (9633)
- 26 Norlevorphanol (9634)
- 27 Normethadone (9635)
- 28 Norpipanone (9636)
- 29 Phenadoxone (9637)
- 30 Phenampromide (9638)
- 31 Phenomorphan (9647)
- 32 Phenoperidine (9641)
- 33 PEPAP [1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine] (9663)
- 34 Piritramide (9642)
- 35 Proheptazine (9643)
- 36 Properidine (9644)
- 37 Propiram (9649)
- 38 Racemoramide (9645)
- 39 Tilidine (9750)
- 40 Trimeperidine (9646)
- 41 (c) Opium derivatives. Any of the following opium derivatives, their
- 42 salts, isomers, and salts of isomers, unless specifically excepted by rule

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of the board or unless listed in another schedule, whenever the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:

Acetorphine (9319)
 Acetyldihydrocodeine (9051)
 Benzylmorphine (9052)
 Codeine methylbromide (9070)
 Codeine-N-Oxide (9053)
 Cyprenorphine (9054)
 Desomorphine (9055)
 Dihydromorphine (9145)
 Drotebanol (9335)
 Etorphine (except hydrochloride salt) (9056)
 Heroin (9200)
 Hydromorphenol (9301)
 Methyldesorphine (9302)
 Methyldihydromorphine (9304)
 Morphine methylbromide (9305)
 Morphine methylsulfonate (9306)
 Morphine-N-Oxide (9307)
 Myrophine (9308)
 Nicocodeine (9309)
 Nicomorphine (9312)
 Normorphine (9313)
 Pholcodine (9314)
 Thebacon (9315)

(d) Hallucinogenic substances. Any material, compound, mixture, or preparation which contains any quantity of the following hallucinogenic, psychedelic, or psychogenic substances, their salts, isomers, and salts of isomers, unless specifically excepted by rule of the board or unless listed in another schedule, whenever the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:

- (1) 4-Bromo-2, 5-Dimethoxyamphetamine (7391). Some trade or other names: 4-Bromo-2, 5-Dimethoxy-a-methylphenethylamine; 4-Bromo-2, 5-DMA.
- (2) 2, 5-Dimethoxyamphetamine (7396). Some trade or other names: 2, 5-Dimethoxy-a-methylphenethylamine; 2, 5-DMA.
- (3) 4-Methoxyamphetamine (7411). Some trade or other names: 4-Methoxy-a-methylphenethylamine; Paramethoxyamphetamine; PMA.
- (4) 5-methoxy-3, 4-methylenedioxy amphetamine (7401). Other

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- 1 Name: MMDA.
 2 (5) 4-methyl-2, 5-dimethoxyamphetamine (7395). Some trade and
 3 other names: 4-methyl-2, 5-dimethoxy- α -methylphenethylamine;
 4 DOM; and STP.
 5 (6) 3, 4-methylenedioxy amphetamine (7400). Other name: MDA.
 6 (7) 3, 4-methylenedioxymethamphetamine (MDMA) (7405).
 7 (8) 3, 4, 5-trimethoxy amphetamine (7390). Other name: TMA.
 8 (9) Bufotenine (7433). Some trade and other names:
 9 3-(B-Dimethylaminoethyl)-5-hydroxyindole;
 10 3-(2-dimethylaminonethyl)-5-indolol; N, N-dimethylserotonin;
 11 5-hydroxy-N, N-dimethyltryptamine; mappine.
 12 (10) Dimethyltryptamine (7434). Some trade or other names: N,
 13 N-Diethyltryptamine; DET.
 14 (11) Diethyltryptamine (7435). Some trade or other names: DMT.
 15 (12) Ibogaine (7260). Some trade and other names: 7-Ethyl-6, 6b,
 16 7, 8, 9, 10, 12, 13-octahydro-2-methoxy-6, 9-methano-5H-pyrido
 17 (1', 2': 1, 2, azepino 4, 5-b) indole; tabernanthe iboga.
 18 (13) Lysergic acid diethylamide (7315). Other name: LSD.
 19 (14) Marijuana (7360).
 20 (15) Mescaline (7381).
 21 (16) Parahexyl (7374). Some trade or other names:
 22 3-Hexyl-1-hydroxy-7, 8, 9, 10-Tetrahydro-6, 6,
 23 9-trimethyl-6H-dibenzo (b,d) pyran; Snyhexyl.
 24 (17) Peyote (7415), including:
 25 (A) all parts of the plant that are classified botanically as
 26 *lophophora williamsii* lemaire, whether growing or not;
 27 (B) the seeds thereof;
 28 (C) any extract from any part of the plant; and
 29 (D) every compound, manufacture, salt, derivative, mixture, or
 30 preparation of the plant, its seeds, or extracts.
 31 (18) N-ethyl-3-piperidyl benzilate (7482). Other name: DMZ.
 32 (19) N-methyl-3-piperidyl benzilate (7484). Other name: LBJ.
 33 (20) Psilocybin (7437).
 34 (21) Psilocyn (7438).
 35 (22) Tetrahydrocannabinols (7370), including synthetic
 36 equivalents of the substances contained in the plant, or in the
 37 resinous extractives of *Cannabis*, sp. and synthetic substances,
 38 derivatives, and their isomers with similar chemical structure and
 39 pharmacological activity such as:
 40 (A) π^1 cis or trans tetrahydrocannabinol, and their optical
 41 isomers;
 42 (B) π^6 cis or trans tetrahydrocannabinol, and their optical

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isomers; and

(C) π^3_4 cis or trans tetrahydrocannabinol, and their optical isomers.

Since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of numerical designation of atomic positions are covered. Other name: THC.

(23) Ethylamine analog of phencyclidine (7455). Some trade or other names: N-Ethyl-1-phenylcyclohexylamine; (1-phenylcyclohexyl) ethylamine; N-(1-phenylcyclohexyl) ethylamine; cyclohexamine; PCE.

(24) Pyrrolidine analog of phencyclidine (7458). Some trade or other names: 1-(1-phenylcyclohexyl)-pyrrolidine; PCP_y; PHP.

(25) Thiophene analog of phencyclidine (7470). Some trade or other names: 1-(1-(2-thienyl) cyclohexyl) piperidine; 2-Thienyl Analog of Phencyclidine; TPCP.

(26) *Salvia divinorum*, salvinorin A, and any of the active ingredients of *salvia divinorum*.

(e) Depressants. Unless specifically excepted in a rule adopted by the board or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

Gamma-hydroxybutyric acid (other names include GHB; gamma-hydroxybutyrate; 4-hydroxybutanoic acid; sodium oxybate; sodium oxybutyrate) (2010)

Mecloqualone (2572)

Methaqualone (2565)

(f) Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation that contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers, and salts of isomers:

Fenethylline (1503)

N-ethylamphetamine (1475)

Methcathinone (1237) (Some other trade names:

2-Methylamino-1-Phenylpropan-1-one; Ephedrone;

Monomethylpropion; UR 1431.

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